

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Kelly Hyndman and Falk Ewers on 7/13/09.

3. The application has been amended as follows:

Claim 8. (currently amended): A method of passively monitoring traffic on a first dedicated packet-switched data network to filter protocol frames in the first dedicated packet-switched data network in order to extract information about a network topology and status of a second automatically switched optical transport network, the first dedicated packet-switched data network connecting network controllers controlling associated network elements of the second automatically switched optical transport network; said method comprising the steps of:

filtering protocol frames of a predefined protocol type in the first dedicated packet-switched data network, by a network monitor, by which said network controllers advertise a network topology and status of the second automatically switched optical transport network;

extracting from the filtered protocol frames transmitted in the first dedicated packet-switched data network, by the network monitor, information about the network topology and status of the second automatically switched optical transport network and

displaying the network topology and status information of the second automatically switched optical transport network graphically to a user,

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wherein the steps of filtering, extracting and displaying are performed independently from the controlling of the associated network elements and the advertising of the network topology and the status by the network controllers.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN D. NGUYEN whose telephone number is (571)272-3084. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7/18/09

/Brian D Nguyen/

Primary Examiner, Art Unit 2416